

Exhibit E

CERTIFIED COPY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

VIOLA PLUMMER,

Plaintiff, Civil Action No.

-against- 07 CV 6154 (WHP)

CHRISTINE QUINN,

Speaker of the City Council,

Defendant.

August 14, 2007

1:24 p.m.

DEPOSITION of CHARLES MEARA, taken
by the Plaintiff, pursuant to Notice, at the law
offices of the Corporation Counsel, 100 Church
Street, New York, New York before Karen Perlman,
a Shorthand Reporter and Notary Public within and
for the State of New York.

GREENHOUSE REPORTING, INC.

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New York, New York 10001

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2

2 A P P E A R A N C E S :

3 LAW OFFICES OF ROGER S. WAREHAM, ESQ.

4 Attorneys for the Plaintiff

5 394 Putnam Avenue

6 Brooklyn, New York 11216

7

8 NEW YORK CITY LAW DEPARTMENT

9 OFFICE OF THE CORPORATION COUNSEL

10 Attorneys for Defendant

11 100 Church Street

12 New York, New York 10007

13 BY: PAUL MARKS, ESQ.

14 -and-

15 NEW YORK CITY COUNCIL

16 OFFICE OF THE GENERAL COUNSEL

17 Attorneys for Defendant

18 250 Broadway

19 New York, New York 10007

20 BY: ALVIN L. BRAGG, JR., ESQ.

21

22

23 ALSO PRESENT:

24 Viola Plummer

25

1

2 STIPULATIONS

3

4 IT IS HEREBY STIPULATED AND AGREED
5 by and between the attorneys for the respective
6 parties hereto, that all objections, except as to
7 form, shall be reserved to the time of trial.

8

9 IT IS FURTHER STIPULATED AND AGREED
10 that the sealing and filing of the within
11 deposition are hereby waived.

12

13 IT IS FURTHER STIPULATED AND AGREED
14 that the within deposition may be subscribed and
15 sworn to by the witness being examined before a
16 Notary Public other than the Notary Public before
17 whom this deposition was begun.

18

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24

25

1 C. Meara
2 C H A R L E S M E A R A, stating a business
3 address of City Hall, New York, New
4 York, having been first duly sworn
5 by the Notary Public, was examined.
6 and testified under oath as follows:

8 EXAMINATION

9 BY MR. WAREHAM:

10 Q. Good afternoon Mr. Meara?

11 A. Good afternoon. How are you?

12 Q. Fine, and you?

13 A. Good.

14 Q. My name is Roger Wareham, and I
15 represent Ms. Plummer in this action. I just
16 want to ask you a couple of preliminary
17 questions. Have you ever been deposed before?

18 A. No.

19 Q. As you can tell you're already
20 testifying under oath. If I ask you any
21 questions that you don't understand either in
22 terms of its form or its content, you should just
23 ask me and I'll try to rephrase it and make it
24 understandable.

25 You have to answer verbally, orally,

1 C. Meara

2 she can't record a shake of the head or that, so
3 you have to say yes, I understand or something?

4 A. Yes, I understand.

5 Q. Have you taken any medications or
6 anything that may impair your ability to answer
7 clearly and understand what is going on today?

8 A. No.

9 Q. If you need to take a break or
10 anything like that, just let us know, we'll do
11 that.

12 A. Okay.

13 Q. What is your position on the
14 Council?

15 A. I'm the Chief of Staff to the
16 Speaker of the City Council.

17 Q. And how long have you been in that
18 position?

19 A. About three years.

20 Q. And were you Chief of Staff for the
21 previous Speaker as well?

22 A. For about a year and a half.

23 Q. And that was Gifford Miller?

24 A. Yes.

25 Q. And what did you do prior to working

1 C. Meara

2 as Chief of Staff for the Speakers?

3 A. I worked at the Port Authority of
4 New York and New Jersey.

5 Q. And what did you do there?

6 A. I did their intergovernmental work
7 for New York.

8 Q. How long did you do that?

9 A. I was there 19 years.

10 Q. And what is the highest level of
11 education that you attained?

12 A. I have a college degree.

13 Q. In what?

14 A. Political science and history.

15 Q. From where?

16 A. Maris College in Poughkeepsie.

17 Q. And what is the total amount of time
18 that you've been working at the Council?

19 A. Three years and about two months.

20 Q. What are your responsibilities as
21 Chief of Staff?

22 A. I have overall responsibility for
23 the supervision of the staff, which includes
24 legislative, it includes administrative services,
25 member services, and I work with members.

1 C. Meara

2 Q. Does that also entail personnel
3 responsibilities?

4 A. I have oversight of personnel
5 responsibilities.

6 Q. And oversight means what? What is
7 your definition of oversight?

8 A. Well, we have an administrative
9 services division and they, through someone else,
10 will ultimately report to me.

11 Q. So everything comes through you,
12 before it gets to the Speaker, generally?

13 MR. MARKS: Objection, Objection to
14 form.

15 You can answer.

16 A. Yes.

17 Q. Is there a flow chart, an
18 administrative chart for the City Council that
19 you're aware of?

20 A. Yeah, I've seen a flow chart.

21 Q. And everything sort of goes through
22 you and then from you to the Speaker?

23 A. Ultimately, yes.

24 Q. Do you have any particular
25 responsibilities at stated meetings of the

1 C. Meara

2 Council?

3 A. I usually stand near the Speaker and
4 try to ensure that everything goes right.

5 Q. In your position as Chief of Staff
6 to the Speaker, do you also advise the Speaker on
7 different issues that come up?

8 A. Yes.

9 Q. On the procedure that is involved
10 with co-naming of streets or renaming of
11 streets --

12 MR. WAREHAM: Withdrawn.

13 Q. You're familiar with the procedure
14 that is involved with co-naming of streets?

15 A. Yes.

16 Q. And would it be fair to say that
17 that involves the submission of names by Council
18 people in a package that then gets at some point
19 approved by the full Council or voted on by the
20 full Council?

21 A. Yes.

22 Q. When the package is first submitted,
23 does it regularly go to the Parks and Recreations
24 Committee?

25 A. Yes.

1 C. Meara

2 Q. And then the Parks and Recreations
3 Committee sends it back to the full Council
4 assuming it approves it?

5 A. Yes.

6 Q. Prior to the removal of the name
7 of -- are you aware that the name of Sonny Carson
8 was removed from the package by the Parks and
9 Recreation Committee in I believe April of 2007?

10 A. Yes.

11 Q. Prior to that removal are you aware,
12 had that ever happened before, where the Parks
13 and Recreation Committee removed a name from a
14 package that had been submitted?

15 A. Not that I'm aware of.

16 Q. To your knowledge, was the Speaker
17 involved in discussions with members of the Parks
18 and Recreations Committee about the removal of
19 Sonny Carson's name from that package?

20 A. To my knowledge, no.

21 Q. Were you aware that prior to the
22 meeting in the Parks and Recreation Committee,
23 the Speaker had indicated that she had a problem
24 with Sonny Carson's name being included in that
25 package?

1 C. Meara

2 A. Yes.

3 Q. And that she had indicated that she
4 was going to have that name removed from the
5 package?

6 A. I think she indicated that she did
7 not support including that name in the package.

8 Q. But your understanding -- you're
9 saying she did not also further indicate that she
10 was going to intervene to have the name removed
11 from the package?

12 A. I -- I think she made her position
13 on the name in the package clear.

14 Q. Prior to the meeting of the Parks
15 and Recreations Committee, do you know if she
16 spoke with any of the members of that committee
17 concerning their vote on the Sonny Carson issue?

18 A. I don't -- I don't know that she
19 did.

20 Q. Did you contact anyone, any members
21 of the Parks and Recreation Committee prior to
22 that concerning the Speaker's concerns?

23 A. I contacted members of the Parks and
24 Recreation Committee to determine what their
25 position was on the issue.

1 C. Meara

2 Q. So you were just taking a poll?

3 A. Yes.

4 Q. Did you indicate to them that the
5 Speaker did not support Sonny Carson's name being
6 included in that package?

7 A. Yes.

8 Q. Did you speak to Council Member Tish
9 James, Leticia James about that?

10 A. Yes.

11 Q. And did you indicate to her that
12 there would be -- How many times prior to that
13 meeting did you speak to her about that?

14 A. I believe once.

15 Q. And what about Council Member
16 Gallagher?

17 A. Yes, I spoke to him.

18 Q. How many times did you speak to him?

19 A. I believe once.

20 Q. Did you speak to any of the members
21 more than once?

22 A. I believe I spoke to the
23 chairperson, Helen Foster more than once.

24 Q. And did she indicate whether she
25 supported the Speaker's position?

1 C. Meara

2 A. Yes. She indicated.

3 Q. And what did she indicate?

4 A. That she did not support the
5 Speaker's position.

6 Q. Is that the basis of you speaking to
7 her more than once about it?

8 A. That was part of the basis, the
9 other basis was that she, as the chair, I worked
10 with her to make sure she understood, you know,
11 how it would work as, you know, committee, that
12 there would be a motion that would be introduced
13 and et cetera.

14 Q. Did you indicate to her that there
15 might be a penalty if she opposed the view of the
16 Speaker on this issue?

17 A. Never.

18 Q. Did you indicate to Council Member
19 James that there might be a perquisite if she
20 supported the position of the Speaker?

21 A. No.

22 Q. Did you remind Council Member James
23 that the Speaker has great influence over the use
24 of discretionary funds?

25 A. No.

1 C. Meara

2 Q. At stated meetings generally, who's
3 responsible for maintaining order at stated
4 meetings, if you know?

5 A. I would say the Public Advocate.

6 Q. And that is as per the City Council
7 rules?

8 A. Yes, working with the Speaker's
9 office.

10 Q. And you stated that at the stated
11 meetings you were usually near the Speaker?

12 A. Umm-hmm.

13 Q. And are there times when the Speaker
14 will ask you to give instructions to the Public
15 Advocate in terms of maintaining security at the
16 meeting?

17 A. Yes.

18 Q. Prior to the stated meeting of May
19 30, 2007, was there a meeting of members of the
20 Council in preparation for that stated meeting?

21 MR. MARKS: Objection to form.

22 You can answer.

23 A. Members of the Council?

24 Q. Was there a meeting with the Public
25 Advocate and the Speaker around any concerns of

1 C. Meara

2 that upcoming stated meeting on May 30th?

3 A. There was a meeting with the Public
4 Advocate, I can't tell you whether the Speaker
5 was part of that meeting.

6 Q. And do you remember what day that
7 was, was that the same day?

8 A. Probably the same day.

9 Q. Do you remember who else was
10 present?

11 A. Probably just staff of the Speaker's
12 office.

13 Q. And that would be who? Do you
14 remember specifically who was there?

15 A. No, I don't even know that I was
16 there, to be honest with you.

17 Q. You've been at so many that you
18 can't sort of --

19 A. Yes, and from time to time we meet
20 with the Public Advocate prior to a stated
21 session, so it wasn't an unusual thing.

22 Q. So you're saying that that meeting
23 was not necessarily out of the norm in terms of
24 meetings that are held prior to stated meetings?

25 A. Well, we don't do it at every stated

1 C. Meara

2 meeting, but, you know, it wasn't -- it wasn't --
3 we do it from time to time.

4 Q. To your knowledge, did the Speaker
5 have any particular concerns before the stated
6 meeting of May 30th around security?

7 A. Yes.

8 Q. And what were those? What were
9 those concerns?

10 A. We -- we knew that the matter that
11 was going to be before the Council was
12 controversial and there were a lot of emotions
13 around the issue, and so I think that they would
14 basically be the concerns of the Speaker.

15 Q. And you said you just don't remember
16 whether or not you were at that meeting?

17 A. With the Public Advocate?

18 Q. Yes.

19 A. I don't. Ordinarily I wouldn't be,
20 but I just don't know.

21 Q. And if I told you that -- are you
22 familiar with Wayne Kawadler?

23 A. Yes.

24 Q. Who is he?

25 A. He is a senior advisor to the

1 C. Meara

2 Speaker.

3 Q. And if I told you that he had
4 testified that he remembered you being at that
5 meeting on May 30, 2007, would that --

6 A. With the Public Advocate?

7 Q. With the Public Advocate.

8 A. I didn't say that I wasn't at the
9 meeting, I just don't remember if I was.

10 Q. Do you remember who called the
11 meeting?

12 A. No, I don't.

13 Q. Were any extraordinary security
14 measures taken for that meeting --

15 MR. MARKS: Objection to form.

16 Q. -- that you're aware of?

17 MR. MARKS: You can answer.

18 A. Well, I -- I know that we worked
19 with the NYPD, which has overall supervision of
20 the building, so I don't know what they did in
21 terms of extraordinary, you know, matters, but I
22 think that there was -- I mean there was a lot of
23 people there and, you know, more than usual
24 so....

25 Q. Does the NYPD usually have in the

1 C. Meara

2 meetings that you've attended over the years,
3 does the NYPD usually have a visible presence in
4 the chambers in the gallery and the balcony?

5 A. Usually no, sometimes yes.

6 Q. And on that day did it have a
7 visible presence?

8 A. I believe they did.

9 Q. Do you happen to remember how many
10 uniforms?

11 A. No, I wouldn't know that.

12 Q. When the Public Advocate is
13 presiding over the meeting, does the Speaker also
14 have authority to clear the room?

15 A. I -- I don't know.

16 Q. But the Public Advocate clearly
17 does, as far as you know?

18 A. I think the Public Advocate would
19 act on behalf of the speaker if the Speaker
20 wanted the room cleared.

21 Q. And on May 30th, to your
22 recollection, was the room cleared that day?

23 A. It was not cleared.

24 Q. Were you there for the entire stated
25 meeting on May 30, 2007?

1 C. Meara

2 A. Yes.

3 Q. Did you observe Mrs. Plummer at the
4 meeting that day?

5 A. Yes.

6 Q. Do you remember where she was
7 seated?

8 A. Yes.

9 Q. Where was that?

10 A. If -- if you're standing facing the
11 front of the chamber, she was on the left hand
12 side where there is a row of like two seats --
13 two seats two by two, I don't know if she was in
14 the first or second row, but she was near the
15 front near where Councilman Barron sits.

16 Q. You're aware that Mrs. Plummer -- of
17 course you're aware.

18 And do you remember sending a letter
19 to Ms. Plummer dated June 28, 2007 where you're
20 referring to disruptive actions at the Council
21 stated meeting of May 30, 2007?

22 A. Yes, I do.

23 Q. And did you witness this disruptive
24 conduct?

25 A. Yes, I did.

1 C. Meara

2 Q. Can you please describe what the
3 disruptive conduct consisted of?

4 A. During the course of the meeting, as
5 the matter of the Sonny Carson street renaming
6 was being discussed, she disrupted the meeting by
7 yelling a number of times, both during remarks of
8 members and during the votes by particular
9 members.

10 Q. And when you say a number of times,
11 how many? One? Two? Three? Four? 10? 15?
12 19?

13 A. I would say 10 or 15, roughly.

14 Q. What was she yelling? What did she
15 say?

16 A. I heard her yell specifically
17 "Liar", I heard her yell specifically, "Shut up".

18 Q. Anything else?

19 A. That is what I recall.

20 Q. What steps if any did --

21 MR. WAREHAM: Withdrawn.

22 Q. Was anyone else in the room engaged
23 in quote/unquote disruptive conduct?

24 A. There were some people in the
25 balcony who were disruptive, but no one else on

1 C. Meara

2 the -- what I call the floor of the Council.

3 Q. What steps, if any, did the
4 presiding officer take in the face of Ms.
5 Plummer's disruptive conduct?

6 MR. MARKS: Objection to form, but
7 you can answer.

8 A. A number of times she tried to use
9 the gavel to quiet the disruption, and she did
10 that repeatedly, actually.

11 Q. Did she say anything when she was
12 using the gavel?

13 A. She kept asking for quiet.

14 Q. Did she specifically address
15 Mrs. Plummer in terms of a request for quiet?

16 A. I think she at least once directed
17 her -- her remarks to the area that Mrs. Plummer
18 was in.

19 Q. She specified whoever was making
20 noise to my right, please be quiet?

21 A. I don't know if she was that
22 specific.

23 Q. When you say --

24 A. It was clear, it was only disruption
25 coming from one place on the floor of the

1 C. Meara

2 Council, and at least once she was directing
3 herself to them.

4 Q. When you say directing herself, what
5 did she do in the case that she was directing
6 herself to that area?

7 A. There was only one person at the
8 time yelling, and she directed her comments to
9 the person yelling to be quiet.

10 Q. Do you remember specifically what
11 she said?

12 A. No, I don't remember specifically
13 what she said.

14 Q. Did she order the Sergeant of Arms
15 to remove Ms. Plummer or whoever that person was
16 causing the disruption?

17 A. No.

18 Q. What did Speaker Quinn do while this
19 disruptive conduct was occurring?

20 MR. MARKS: Objection to form but
21 you can answer.

22 A. She asked me at one point to have
23 the Public Advocate, you know, quiet down the
24 crowd.

25 Q. Quiet down the crowd or quiet down

1 C. Meara

2 Mrs. Plummer?

3 A. I don't know that her comments were
4 directed specifically to Mrs. Plummer, but they
5 were -- she was the only one on the floor making
6 comments.

7 Q. But she asked that you quiet down
8 the crowd?

9 A. Making noise on the floor, yeah.

10 Q. And when she said that to you, what
11 did you do?

12 A. At one point, and I don't know if it
13 was directly at this time, I asked the director
14 of security to see what was going on.

15 Q. And who is that?

16 A. Carl D'Alba.

17 Q. What did he do?

18 A. I know he went over there, I don't
19 know what he did.

20 Q. He went over where?

21 A. To the area where Ms. Plummer was.

22 Q. You saw him do that?

23 A. I saw him go over, yes, I don't know
24 specifically what he said.

25 Q. Did you see him talking to

1 C. Meara

2 Mrs. Plummer?

3 A. I saw him in the general area, I
4 didn't see him speak specifically to
5 Mrs. Plummer, but I asked him to go over there
6 and, you know, he went over there.

7 Q. Who else was in that general area at
8 that time?

9 A. Well, there are a number of
10 Councilmen who sit right there, and I don't know
11 who else was sitting with Ms. Plummer.

12 Q. Was she sitting by herself?

13 A. I don't recall.

14 Q. Did Ms. Plummer's quote/unquote
15 disruptive actions prevent the vote, the vote on
16 Councilman Vann's amendment to include Sonny
17 Carson's name in the co-naming package?

18 A. No, it went forward.

19 Q. Did it disrupt the subsequent vote
20 on the entire co-naming package?

21 A. No, that went forward.

22 Q. Did the Council complete the
23 scheduled agenda for that day?

24 A. Yes, it did.

25 Q. To your recollection, was anyone

1 C. Meara

2 removed from the Council that day for disruptive
3 behavior?

4 A. No.

5 Q. And the disruptive behavior you're
6 attributing to Ms. Plummer were words that she
7 shouted out?

8 A. Yes.

9 Q. During your tenure as Chief of
10 Staff, have there been any other meetings of the
11 stated meetings of the Council where there has
12 been disruptive conduct?

13 A. No.

14 Q. So this is the first meeting where
15 there was disruptive -- -

16 A. The first stated meeting.

17 Q. Were you at the stated meeting, the
18 meeting prior to May 30, 2007?

19 A. I'm sure.

20 Q. Was there any disruption in the
21 discussion around the, I think, the Taxi and
22 Limousine Commission?

23 A. I -- I don't know if that was the
24 meeting prior to, but when that meeting occurred,
25 if you're talking about the petty cab issue?

1 C. Meara

2 Q. Yes.

3 A. Yes, there was disruption in the
4 gallery that day.

5 Q. So when you say there hasn't been
6 any disruption in the stated meeting, you're
7 distinguishing between the balcony --

8 A. Yes, sir.

9 Q. -- and the gallery.

10 MR. MARKS: No, no. You said the
11 balcony and the gallery.

12 A. The balcony and the floor, I call it
13 the floor of the stated -- of the Council.

14 Q. Right.

15 A. Right.

16 Q. The Public Advocate calls it the
17 gallery.

18 MR. WAREHAM: Remember?

19 MR. MARKS: I think just for -- so
20 the record is clear.

21 MR. WAREHAM: The floor.

22 MR. MARKS: I want to make it clear.
23 The floor, okay.

24 Q. Have there been disruptions at
25 committee meetings that you're aware of?

1 C. Meara

2 A. There have been disruptions at
3 committee meetings that have been brought to my
4 attention, I was not personally at them.

5 Q. Have those disruptions involved
6 staff members of individual Council members that
7 you're aware?

8 A. That was brought to my attention,
9 yes.

10 Q. And do you remember, can you tell me
11 what that was, what the disruption was and whose
12 staff member was involved?

13 A. It was brought to my attention by a
14 number of members that Councilman Barron's staff
15 person Ms. Plummer was disruptive at a number of
16 committee meetings.

17 Q. Can you specify when? Date?

18 A. NO.

19 Q. Time? How many?

20 A. One was brought to my attention was
21 the civil rights committee meeting, and one that
22 was brought to my attention was the public safety
23 committee.

24 Q. Those were separate meetings?

25 A. I don't know if that was separate or

1 C. Meara

2 the same meeting.

3 Q. And what were you told was the
4 nature of the disruption by Mrs. Plummer?

5 A. That during the course of the
6 meeting she, at various times, yelled out certain
7 things, I don't know specifically what.

8 Q. And who was chairing that meeting?

9 A. I believe Councilman Seabrook was
10 chairing, and Councilman Vallone was chairing.

11 Q. And what, if any, steps did they
12 take to address the disruption caused by Ms.
13 Plummer?

14 A. I believe that as chairs they tried
15 to use their gavel to bring quiet to the meeting.

16 Q. And you say "Tried", does that mean
17 that they did not succeed?

18 A. I wasn't there, I don't know that it
19 succeeded.

20 Q. At committee meetings, is there a
21 Sergeant At Arms present?

22 A. Yes.

23 Q. Do you know whether they had the
24 Sergeant of Arms escort Ms. Plummer out of the
25 meeting?

1 C. Meara

2 A. I don't believe they did.

3 Q. That was the prerogative the chair
4 in face of a disruption if they thought it was
5 interfering with the work of their committee?

6 A. Correct.

7 Q. Aside from this meeting of the civil
8 rights and public safety commission was there any
9 other committee meetings that to your knowledge
10 Ms. Plummer was accused of disruptive conduct?

11 A. Not to my knowledge.

12 Q. And did it come to your attention at
13 some point that Mrs. Plummer had made a remark
14 concerning the assassination of Councilman
15 Comrie's ass?

16 A. Yes.

17 Q. And when did that come to your
18 attention?

19 A. Some time after the stated meeting
20 was completed.

21 Q. And where were you when it came to
22 your attention?

23 A. I was in the Speaker's office.

24 Q. And who brought it to your
25 attention?

1 C. Meara

2 A. I can't remember.

3 Q. And what were you told was the
4 remark, as you understood it to be?

5 A. I was told that at a press
6 conference, the -- that Ms. Plummer said that she
7 -- she voiced that she wanted the assassination
8 of Councilman Comrie's ass.

9 Q. Sorry. What did you interpret that
10 remark to mean?

11 MR. MARKS: Objection to form, but
12 you can answer.

13 A. Well, we took it very seriously.

14 Q. And by taking it very seriously,
15 what did that mean?

16 A. Well, I asked the -- well, what it
17 means we were very concerned about it. We -- I
18 asked for the -- to see if we can get a copy of
19 what she said. I called Councilman Comrie
20 immediately and asked him to come to the office,
21 and I called Lieutenant Brennan, who is the head
22 of the City Hall security for the NYPD.

23 Q. And what happened after that?

24 A. Councilman Comrie came to the office
25 and Lieutenant Brennan came to the office, and we

30

1 C. Meara

2 discussed the matter.

3 And Councilman Comrie said at that
4 time that he took the matter very seriously.

5 I asked Lieutenant Brennan for his
6 opinion, he took it seriously. I asked
7 Lieutenant Brennan to have some security for
8 Councilman Comrie, since he was having an event
9 that night, and he agreed to do that.

10 Q. Did Councilman Comrie indicate that
11 he felt physically threatened by Viola Plummer?

12 A. We said to him, "Do you take this
13 seriously?" He said, "I take it very seriously".

14 Q. And that was the nature of the
15 question to him in terms of whether --

16 A. Right.

17 Q. -- he really thought Viola Plummer
18 was going to assassinate him?

19 MR. MARKS: Objection to form.

20 You can answer.

21 A. I think that the concern was broader
22 than Viola Plummer. I think that the concern was
23 that it was a very emotional day, there were very
24 high passions, and no one really knew who Viola
25 was saying it to. So it wasn't simply a question

1 C. Meara

31

2 of whether Viola was going to do something, it
3 was a question of who might hear the word
4 assassinate attached to Councilman Comrie, and I
5 think -- so the concern was broader than just
6 Viola Plummer.

7 Q. So the concern was that it might be
8 a hidden directive?

9 MR. MARKS: Objection to form.

10 A. Yes. Or someone might take it as a
11 hidden directive.

12 Q. Did you approach Ms. Plummer or
13 Councilman Barron to ask her about her remark?

14 A. No.

15 Q. Did anyone consider approaching Ms.
16 Plummer or Councilman Barron to ask them
17 personally about the remark she made and what she
18 meant by it.

19 A. I don't know what others may have
20 considered.

21 Q. Did the Speaker consider doing that?

22 A. I don't know what the Speaker
23 considered doing.

24 Q. Did you advise the Speaker that, you
25 know, maybe we should talk to Councilman Barron

1 C. Meara

2 and Ms. Plummer about these remarks?

3 A. No, I did not advise the Speaker to
4 do that.

5 Q. Do you know if anyone did?

6 A. I don't know.

7 Q. Why not?

8 MR. MARKS: You mean why didn't he?

9 Q. Why didn't you approach Councilman
10 Barron or the Speaker, Councilman Barron or Ms.
11 Plummer about the remark?

12 A. Well, I wouldn't have approached
13 Councilman Barron, since they weren't his
14 remarks, if I --

15 Q. Why didn't you approach Ms. Plummer?

16 A. Because she explained the remarks
17 later in the -- in the press conference and I
18 just thought that the use of the word
19 "Assassinate" in City Hall given what -- given
20 the history there was so inflammatory that there
21 was -- there was no explanation.

22 And again, it wasn't only what Viola
23 may have meant by the remarks, it was what
24 someone may have taken from those remarks, and
25 she was never in a position to explain that to me

1 C. Meara

2 in a satisfactory way.

3 Q. But you said she explained it later
4 in the press conference?

5 A. She said --

6 Q. What was her explanation?

7 A. She talked about it being a
8 political assassination.

9 Q. Did you have the same response when
10 Councilman Vallone talked about stringing up Con
11 Ed from a light post?

12 A. I don't know that he said that.

13 Q. You're not familiar at the point
14 where they had the blackout in Queens, Councilman
15 Vallone said that Con Ed should be strung from a
16 lamp post?

17 A. I know that they had a blackout in
18 Queens, I don't know that Council Vallone said
19 that, I'm not saying he didn't say that, I'm just
20 saying I don't know that he said that.

21 Q. So you're saying there was no
22 explanation that would have been acceptable to
23 you once the word "Assassinate" was issued on the
24 property of City Hall?

25 A. Correct.

1 C. Meara

2 Q. So that is a taboo word in City
3 Hall, character assassination cannot --
4 assassination cannot be used in any context
5 without there being a security response?

6 MR. MARKS: Objection to form.

7 You can answer.

8 A. Character assassination is one
9 thing, that is not what she said.

10 Q. But you focused on the word
11 "Assassination"?

12 A. Correct.

13 Q. And she explained political
14 assassination, and in the same press conference,
15 quote/unquote press conference, I'm not conceding
16 it was a press conference --

17 A. Right.

18 Q. -- explained that she meant it was a
19 political assassination of his political career,
20 but your position was that genie is out of the
21 box and therefore it required a security
22 response?

23 A. I think it --

24 MR. MARKS: Objection to form.

25 You can answer.

1 C. Meara

2 A. -- it required a serious response
3 which included security.

4 Q. So basically the word she uttered
5 required that response?

6 A. Yes.

7 Q. And how long was security supplied
8 to Council Member Comrie, if you're aware?

9 A. I believe it was supplied for that
10 evening.

11 Q. Did Council Member Comrie file a
12 complaint with the police department?

13 A. I'm not aware that he did.

14 Q. Was he advised to, if you know?

15 A. There was a discussion as to whether
16 he should, I don't know whether he was advised to
17 or not.

18 Q. What was your view, do you think
19 that he should have filed a complaint with the
20 police department?

21 MR. MARKS: Objection to form.

22 THE WITNESS: I can answer?

23 MR. MARKS: You can answer.

24 A. I -- I didn't really have an opinion
25 one way or the other.

1 C. Meara

2 Q. Do you know what the Speaker's
3 position was --

4 A. No.

5 Q. -- around filing the complaint?

6 A. I don't know.

7 Q. At the point in time, aside from the
8 security measures that were taken that evening --

9 MR. WAREHAM: Withdrawn.

10 Q. What steps did the Speaker take on
11 that evening in terms of Mrs. Plummer's
12 assassination comment, if any?

13 A. Well, one was the security, which
14 we've already talked about, and the second was we
15 asked the office -- I believe it was that night,
16 we asked the Office of the General Counsel to see
17 what options would be available to us.

18 Q. Options in terms of?

19 A. A discipline.

20 Q. Did that include firing at that
21 point, or just discipline?

22 A. We -- I don't think we specified
23 specifically, we just wanted to know what the
24 options were.

25 Q. And was the Speaker concerned that

37

1 C. Meara

2 she did not have authority to discipline Ms.
3 Plummer because she was the employee of an
4 individual Council Member?

5 A. She didn't --

6 MR. MARKS: Objection to form.

7 You can answer.

8 A. She didn't know if she had the
9 authority, and that is what she asked the General
10 Counsel's office to research.

11 Q. Did she think she had the authority?
12 Prior to getting an opinion from the General
13 Counsel, did she think she had the authority to
14 discipline Ms. Plummer?

15 MR. MARKS: Objection.

16 A. Yes.

17 Q. Did she think she had the authority
18 to fire Ms. Plummer?

19 A. We didn't know.

20 Q. What was her view, I'm talking about
21 immediately after, what was her view of the
22 source of her authority to discipline
23 Mrs. Plummer?

24 MR. MARKS: Objection to form.

25 You can answer.

1 C. Meara

2 A. Yes.

3 Q. What was the nature of the incident
4 and what ws the nature of the discipline that was
5 enacted?

6 A. There was a -- a complaint filed
7 with the Department of Investigations about the
8 Councilman and his staff use of staff in his
9 district office. And D -- DOI's investigation
10 showed that they had inappropriately used on one
11 occasion staff in the district office, and they
12 did not discipline Councilman McMahon, but we
13 disciplined the member of the staff and required
14 that he participate in certain training.

15 Q. Did Councilman McMahon have to sign
16 off on that discipline?

17 A. No, I believe we told him.

18 Q. And he agreed to it?

19 A. Yes.

20 Q. And if he had not agreed to it,
21 would you have been able to enact that
22 discipline?

23 A. I believe so.

24 Q. And the authority for that would
25 have been?

1 C. Meara

2 A. The Speaker's office.

3 Q. And in this particular case, the
4 discipline was seen as a remedy after the
5 completion of an investigation by the Department
6 of Investigation?

7 A. Right.

8 Q. And did that investigation entail
9 interviews with the staff member involved?

10 A. I don't know.

11 Q. Was there any hearing involved in
12 that investigation?

13 A. I don't believe so.

14 Q. Did it involve discussion with the
15 Council Member McMahon himself?

16 A. Only as it pertained to his
17 involvement.

18 Q. And that the discipline involved was
19 taking a training course?

20 A. Right.

21 Q. It didn't involve suspension --

22 A. No.

23 Q. -- or termination?

24 A. Correct.

25 Q. And if the staff member had not

1 C. Meara

2 agreed to take the training course, what was the
3 or else?

4 A. We never had to give an or else.

5 Q. But Councilman McMahon never
6 challenged that?

7 MR. MARKS: McMahon.

8 Q. McMahon.

9 MR. WAREHAM: I said McMahon.

10 MR. MARKS: Sorry.

11 MR. WAREHAM: I got it this time.

12 THE WITNESS: He did.

13 Q. Did the staff member involved have
14 to sign any agreement acknowledging that he or
15 she had committed an impropriety and agreeing to
16 the training?

17 A. I don't know, to be -- I don't know.

18 Not that I know of, but I don't know for sure.

19 Q. And how long was the training course
20 that this staff member had to take in terms of
21 hours?

22 A. I don't know.

23 Q. And what was the incident involving
24 Council -- which Rivera, Joel?

25 A. Joel Rivera.

1 C. Meara

2 Q. What the incident involving his
3 staff member?

4 A. There was a -- I believe it was a
5 DOI investigation of a staff member, and I don't
6 remember the specifics to be honest with you, but
7 we imposed a discipline on him to take a training
8 as well, and Councilman Rivera at first resisted
9 it but didn't think it was appropriate, but then
10 we -- we insisted and as I understand it the
11 staff member did the training.

12 Q. The same question, did that member
13 have to sign anything?

14 A. Not that I'm -- I don't know for
15 sure, but not that I know of.

16 Q. And was there an or else, if they
17 didn't agree to it they would face termination,
18 suspension or termination?

19 A. No, we never got to that point.

20 Q. So it in effect involved a voluntary
21 compliance with the request?

22 A. Yes.

23 Q. And if Council Member Rivera had
24 continued to resist, what steps would you have
25 taken to enforce that discipline?

1 C. Meara

2 A. I never got to that point.

3 Q. And once again the authority for
4 that came from?

5 A. The Speaker's office.

6 Q. So those are the two instances that
7 you're aware of where in the past the Speaker has
8 imposed some form of discipline on an individual
9 Council members staff?

10 MR. MARKS: object to the form.

11 You can answer.

12 Q. Are those the only two instances
13 that you're aware of?

14 A. I don't know that we ever imposed
15 any discipline as a result of not completing the
16 training sessions that I referred to earlier, but
17 that would be the only other instance.

18 Q. Are you aware of any instances where
19 the Speaker suspended the staff of an individual
20 Council Member?

21 A. NO.

22 Q. Are you aware of any instances where
23 the Speaker terminated the employment of a staff
24 of an individual Council Member?

25 A. No.

1 C. Meara

2 Q. Were you at the stated meetings of
3 June 14th and 27th of 2007?

4 A. I'm sure.

5 Q. Do you remember whether Mrs. Plummer
6 was there?

7 A. I don't.

8 Q. Were there any disruptions at that
9 meeting?

10 A. No.

11 Q. Those meetings, that you're aware
12 of?

13 A. No.

14 Q. Are you a familiar with the New York
15 City Council policy against harassment and
16 discrimination?

17 A. Yes.

18 Q. Do you know whether the Speaker
19 brought a complaint against Ms. Plummer pursuant
20 to that policy?

21 A. I don't believe this was a matter
22 regarding discrimination or harassment.

23 Q. So does that mean she did not?

24 A. It means she did not.

25 Q. Do you know whether Council Member

1 C. Meara

2 Comrie brought a complaint around harassment of
3 Mrs. Plummer pursuant to that policy?

4 A. I -- I'm not aware of that.

5 Q. Are you aware that the Speaker
6 expressed concern in the early part of June
7 around taking action against Ms. Plummer as she
8 worked for quote, an independent Council member?

9 MR. MARKS: Objection to form, but
10 you can answer.

11 A. That was why we asked the General
12 Counsel's office to research what the options
13 were that would be available to us.

14 Q. Because Mrs. Plummer was working for
15 Council Member Barron, not the central staff?

16 A. Correct.

17 Q. And at what point in time did the
18 Speaker arrive at a firm conclusion that she had
19 the authority to suspend and/or terminate
20 Mrs. Plummer?

21 MR. MARKS: Objection to form, but
22 you can answer.

23 A. I don't recall the exact date, but
24 it was when the General Counsel's office had
25 completed their research.

1 C. Meara

2 Q. And what is your understanding of
3 the basis for the Speaker's authority to
4 terminate the staff member of an individual
5 Council Member?

6 A. Well, I'm not a lawyer, but my
7 understanding is that as the head of Council, the
8 Speaker of the Council, she's the head of the
9 agency, and as head of the agency she has that
10 authority.

11 Q. And are you familiar with the
12 provisions of the Charter, the New York City
13 Charter that concerned the City Council?

14 A. I've never read them.

15 Q. Let me show you what has been marked
16 as Plaintiff's Exhibit 1, this is the one from
17 the Gotbaum deposition.

18 THE WITNESS: This is the what,
19 excuse me?

20 Q. This is the one we did with Gotbaum,
21 and I want to draw your attention to section 21?

22 MR. MARKS: I just want to make it
23 clear --

24 MR. WAREHAM: This is the full one.

25 MR. MARKS: Right, but I just want

1 C. Meara

2 to make it clear for the record and, you
3 know, I don't want to be accused of making
4 speaks objections, so actually before I say
5 what I'm going to say, I'm wondering if it
6 would be better --

7 MR. WAREHAM: -- if he stepped out
8 of the room.

9 MR. MARKS: -- if he stepped out of
10 the room.

11 MR. WAREHAM: Why don't we do that.
12 (Whereupon the witness leaves the
13 conference room.)

14 MR. MARKS: Off the record.

15 (Discussion held off the record.)

16 (Whereupon the witness enters the
17 conference room.)

18 Q. Let me just show you Plaintiff's
19 Exhibit 1, which is excerpts from the New York
20 City Charter, the chapters that specifically
21 address the Council. And I just want to draw
22 your attention to section 21, just read through
23 that to yourself.

24 A. Okay.

25 Q. And --

1 C. Meara

2 A. You're not going to ask me to repeat
3 it back, are you?

4 Q. No. If you could just read the first
5 sentence of section 21?

6 A. "The Council, there shall be a
7 Council which shall be the legislative body of
8 the City."

9 Q. Now, you said that your
10 understanding is that the Speaker derives her
11 authority to discipline or terminate the
12 employment of individual staff members of
13 individual Council members through her position
14 as head of the agency?

15 You have to speak.

16 A. Yes.

17 Q. And your understanding is that the
18 City Council of New York is an agency of the City
19 of New York?

20 A. Correct.

21 Q. And how did you arrive at that
22 understanding?

23 A. Well, as I mentioned before, we
24 asked the General Counsel's office to research
25 what options were available to us and that was

1 C. Meara

2 | what they said.

3 MR. MARKS: Object to the extent
4 it's -- you shouldn't testify about any
5 attorney-client privileged matter what the
6 General Counsel's office of the Council
7 said to you or anybody else.

8 THE WITNESS: Okay.

9 Q. And that authority allows her, gives
10 her control over, nominally gives her control
11 over the staff of every City Council member?

12 MR. MARKS: Objection to form.

13 You can answer.

14 A. Yes.

15 Q. And is it your understanding that
16 when members of the City Council elect one of
17 their fellow members as Speaker, that they are
18 giving that person control over the suspension
19 and firing of their individual staff?

20 A. I don't know what members thought
21 when they elected the Speaker.

22 Q. Were you present during the election
23 of Speaker Quinn as the Speaker?

24 A. Yes.

25 Q. Was there, to your recollection, was

1 C. Meara

2 there any discussion of the responsibilities of
3 the Speaker during that election?

4 A. By election I mean that I was
5 present when the Council members voted for the
6 Speaker.

7 Q. Prior to the election, were there
8 any discussions concerning what the task of the
9 Speaker or the responsibilities of the Speaker
10 are?

11 A. I wasn't involved in any of those.

12 Q. When a Council member wants to hire
13 someone for their staff, does the Speaker have
14 the approval of that hire?

15 A. I know that the paperwork goes
16 through the administrative services division but
17 we generally don't approve of hires for Council
18 member.

19 Q. Does the Speaker disapprove of
20 hires?

21 A. Not that I'm aware of.

22 Q. Does the Speaker sign off on any of
23 the paperwork necessary for a person to be hired?

24 A. The Speaker personally?

25 Q. Yes.

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C. Meara

2 A. Not that I'm aware of.

3 Q. Anyone from the Speaker's office?

4 A. I don't know what administrative
5 services people sign.

6 Q. At some point in June did the
7 Speaker instruct you to write a letter to Ms.
8 Plummer informing her of her suspension?

9 A. Yes.

10 Q. And did you write that letter?

11 A. Yes.

12 Q. Who had input in terms of the
13 content of that letter?

14 A. The General Counsel's office, I
15 don't know that anyone else did.

16 MR. WAREHAM: You had put that in as
17 defendants, so I guess I have to put it in
18 separately?

19 MR. MARKS: Off the record.

20 (Discussion held off the record.)

21 Q. Let me show you what was marked as
22 Defendant's B which is --

23 A. Do you want this back?

24 Q. You can put it right there.

25 Does that look familiar to you?

1 C. Meara

2 What do you recognize that to be?

3 A. I recognize it to be a letter that I
4 sent to Ms. Plummer.

5 Q. And you said input was made from the
6 General Counsel's office and the Speaker in terms
7 of the content of the letter?

8 A. Yes.

9 Q. And that letter is dated?

10 A. June 28, 2007.

11 Q. And it was at that point in time
12 that by June 28th --

13 MR. WAREHAM: Withdrawn.

14 MR. MARKS: Sorry to interrupt.

15 Off the record.

16 (Discussion held off the record.)

17 Q. And after the this legal action was
18 brought, was there a subsequent letter that you
19 sent to Ms. Plummer dated July 5th?

20 A. Yes.

21 Q. And the content of that letter was
22 composed by whom?

23 MR. MARKS: Objection to form.

24 You can answer.

25 A. The General Counsel's office.

1 C. Meara

2 Q. And then you signed off on it?

3 A. Yes.

4 Q. And you were doing this at the
5 behest of the Speaker?

6 A. Yes.

7 Q. In the name of the Speaker?

8 A. Yes.

9 Q. And the Speaker had full knowledge
10 of the content of both letters?

11 A. I don't know that she actually saw
12 the letter, but she had knowledge generally of
13 the content, yes.

14 Q. And she approved you signing it?

15 A. Yes.

16 Q. You had to check with her before you
17 signed it?

18 A. Yes.

19 Q. And if she had said do not sign it,
20 you would not have signed it?

21 A. Correct.

22 MR. WAREHAM: Off the record.

23 (Discussion held off the record.)

24 Q. Following the May 30th stated
25 meeting, did the Speaker have a meeting to assess

1 C. Meara

2 the disruption caused by Ms. Plummer's outburst
3 and threats?

4 A. I -- I don't know that we had a
5 specific meeting to assess the outburst and
6 threats.

7 Q. Do you remember having a meeting
8 with Wayne Kawadler and other senior staff
9 members concerning the response to Ms. Plummer?

10 A. Yes.

11 Q. Do you remember when that was?

12 A. There was a series of meetings in
13 the immediate aftermath, so I can't tell you
14 which meeting occurred on which date.

15 Q. Did you attend all of those
16 meetings?

17 A. I -- I would assume that I did, yes,
18 but I'm not sure.

19 Q. Can you, to the best of your
20 recollection, detail, if you don't remember the
21 exact dates, when the meetings were, who attended
22 the separate meetings, those different meetings?

23 A. There were meetings in the days that
24 followed, some were attended by the General
25 Counsel's office, some were attended by

1 C. Meara

2 administrative staff.

3 Q. And what was discussed at those
4 meetings?

5 MR. MARKS: I am going to object to
6 the extent that it calls for him to state
7 what occurred at the meetings that were
8 attended by the General Counsel's office
9 that would be protected by the
10 attorney-client privilege.

15 A. I don't specifically recall if there
16 were meetings at the General Counsel's office, I
17 didn't participate in them so I just don't know
18 the answer to that. But in a general way we
19 discussed options that were available that the
20 General Counsel's office had been asked to
21 research.

22 Q. And would it be fair to say that
23 your view of the principal obstacle being whether
24 or not the Speaker had the authority over the
25 individual staff member of an individual counsel

1 C. Meara

2 member?

3 MR. MARKS: Object to the form of
4 the question.

5 You can answer.

6 A. I don't know that we viewed it as an
7 obstacle, we viewed it as a question.

8 Q. It was viewed as a question because
9 it wasn't clearly set out anyplace?

10 A. It wasn't clearly set out in
11 anyplace in either way.

12 Q. And it was a question because it had
13 never happened before?

14 A. Correct.

15 Q. And the focus of the discussion was
16 around Ms. Plummer's statements around Council
17 member Comrie?

18 A. And the conduct at the stated
19 meeting.

20 Q. Are you saying that they were looked
21 at as co-equal, equally?

22 A. I'm not saying either one, you asked
23 a question and I'm just trying to be -- both
24 element were part of the discussions, I don't
25 know whether one was more than the other.

1 C. Meara

2 Q. And was a concern of the Speaker
3 from the beginning with both the conduct inside
4 and the statement of Council Member Comrie?

5 MR. MARKS: About?

6 Q. About --

7 A. Yes.

8 Q. -- Mrs. Plummer's conduct?

9 A. Yes.

10 Q. And are you saying that Ms.
11 Plummer's conduct inside of City Hall was the
12 basis upon which she was terminated?

13 MR. MARKS: I just want to -- do you
14 mean --

15 Q. The stated meeting on May 30th?

16 MR. MARKS: The stated meeting of
17 May 30, 2007?

18 Q. The stated meeting of May 30, 2007?

19 MR. WAREHAM: Thank you.

20 A. I didn't say that.

21 Q. I'm asking you.

22 A. I think it's a combination.

23 Q. If it's a combination does one have
24 predominance over the other in your view?

25 A. Not really.

1 C. Meara

2 Q. I'll ask you a hypothetical, had Ms.
3 Plummer not made the remarks concerning Council
4 Member Comrie, do you think that she would have
5 faced termination for her conduct inside of City
6 Hall on May 30, 2007?

13 Q. I'll try to be a little bit more
14 concrete. Would you say that more weight was
15 attributed to Ms. Plummer's statement in terms
16 of --

17 MR. WAREHAM: Withdrawn.

18 Q. On a scale, if we look at Ms.
19 Plummer's conduct inside the City Council on May
20 30, 2007 and the statement outside, which was
21 statements as well, outside the City Council in
22 2007, which do you think had more weight in terms
23 of decision to discipline her?

24 MR. MARKS: Objection to form, but
25 you can answer.

1 C. Meara

2 A. Again, I would say both, but in the
3 immediate aftermath we were particularly
4 concerned about the assassination comment.

5 Q. Would you say that that one carried
6 more weight?

7 A. In the beginning it was a more
8 immediate concern.

9 Q. And that concern was demonstrated by
10 the assignment of the security detail to Council
11 Member Comrie?

12 MR. MARKS: Objection to form.

13 You can answer.

14 A. Yes.

15 Q. And the concern around Ms. Plummer's
16 conduct in the City Council on May 30, 2007 was
17 demonstrated by what?

18 A. I don't understand.

19 Q. If Ms. Plummer's conduct inside City
20 Hall was as serious as that alleged by the --
21 caused by the remarks, what steps were taken
22 inside City Hall that day to address her conduct?

23 A. Well, I -- we asked the General
24 Counsel's office to begin exploring what options
25 were available to us.

1 C. Meara

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2 Q. Maybe my question isn't clear. What
3 steps were taken inside the City Council that day
4 at the time that the disruptive comment happened
5 to address that?

6 A. . Well, once the meeting was over we
7 went downstairs and were talking about the
8 Council meeting, and at that time the
9 assassination comment was brought to our
10 attention, so the focus quickly shifted from the
11 disruption in the chamber to the assassination
12 comment.

13 Q. But during the meeting itself, no
14 steps were taken to address that?

15 A. Well, as I said much earlier, once
16 the -- I mean the meeting proceeded.

17 Q. Right. The meeting proceeded and
18 the work was completed?

19 A. Yes.

20 Q. And Ms. Plummer attended two
21 subsequent stated meetings where nothing
22 happened --

23 A. I believe I said I don't know
24 whether she did.

25 Q. Do you remember getting an e-mail

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1 C. Meara

2 from Carl D'Alba on July 2nd as to how we should
3 handle Ms. Plummer in the future?

4 A. No, I don't.

5 MR. WAREHAM: This will be
6 Plaintiffs' Exhibit 12, it is Bates marked
7 D 0842.

8 (Plaintiff's Exhibit 12, document
9 bearing Bates number D 0842, marked for
10 identification.)

11 Q. Would you look at that, please?

12 A. Okay.

13 Q. Do you remember having looked at
14 that, do you remember that message now?

15 A. Not really.

16 Q. Do you know, based on that message,
17 do you remember any meeting occurring on how you
18 attended to handle Ms. Plummer?

19 A. I don't remember specifically, but
20 assume we had a meeting.

21 Q. Do you know what the decision was
22 around that, this is on July 2nd?

23 A. I don't remember specifically what
24 the result of any discussion that I had with Carl
25 was

1 C. Meara

2 Q. Was there any policy that was
3 developed prior to Ms. Plummer's termination as
4 to how she was going to be handled by security?

5 A. Not specific to Ms. Plummer that I
6 recall.

7 MR. WAREHAM: I'm almost finished,
8 let's take a five minute break.

9 (Time noted: 2:39 p.m.)

10 (A brief recess is taken.)

11 (Time noted: 2:44 p.m.)

12 MR. WAREHAM: I have no further
13 questions.

14 MR. MARKS: I have no questions.

15 (Time noted: 2:44 p.m.)

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1 C. Meara

2 I, the witness herein, having read
3 the foregoing testimony, do hereby certify
4 it to be a true and correct transcript,
5 subject to the corrections, if any, shown
6 on the attached page.

7

8

9

10

11

12 CHARLES MEARA

13

14

15 Subscribed and sworn to
16 before me this ____ day
17 of _____ 2007.

18

19

20

21

22

23

24

25

1 L. Comrie

2 CERTIFICATE

3 STATE OF NEW YORK)

4 :

5 COUNTY OF NEW YORK)

6 I, KAREN PERLMAN, a Shorthand Reporter and
7 Notary Public within and for the State of New
8 York, do hereby certify:

9 That CHARLES MEARA, the witness whose
10 deposition is hereinbefore set forth, was duly
11 sworn by me and that such deposition is a true
12 record of the testimony given by such witness.

13 I further certify that I am not related to
14 any of the parties to this action by blood or
15 marriage, and that I am in no way interested in
16 the outcome of this matter.

17 IN WITNESS WHEREOF, I have hereunto set my
18 hand this 20th day of August, 2007.

19

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ERRATA SHEET FOR THE TESTIMONY OF: _____

IN THE MATTER OF: _____

DATE TAKEN: _____

(Signature of Witness)

Subscribed and sworn to
Before me this _____ day
of _____, 2007

* Additional space for corrections provided on the other side of this sheet*